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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

KINDER CANAL CO. INC., AND MIKE T. UNKEL : DOCKET NO. 05-1123

VS. : JUDGE TRIMBLE

MIKE JOHANNS, SECRETARY OF THE UNITED STATES DEPARTMENT OF AGRICULTURE : MAGISTRATE JUDGE WILSON

JUDGMENT

For the reasons set forth in the memorandum ruling of this date,

IT IS ORDERED, ADJUDGED AND DECREED that the Motion for Summary Judgment on Behalf of Mike T. Unkel (doc. #5) is hereby **DENIED**.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Motion for Summary Judgment on Behalf of Kinder Canal Company, Inc. (2001) (doc. #6) is hereby **DENIED**.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Motion for Summary Judgment on Behalf of Kinder Canal Company, Inc. (doc. #10) is hereby **DENIED**.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Government's Cross-Motion for Summary Judgment (doc. #18) is hereby **GRANTED** and the May 31, 2005 decision by the Director of the United States Department of Agriculture National Appeals Division is hereby **AFFIRMED**, dismissing the Complaint, with prejudice at Plaintiffs' cost.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this 31st day of January, 2006.

James T. Trimble
JAMES T. TRIMBLE, JR.
UNITED STATES DISTRICT JUDGE